

ORIGINAL

CLERK US DISTRICT COURT
NORTHERN DIST. OF TX
FILED

2013 MAR 22 PM 3:28

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

DEPUTY CLERK

NT

UNITED STATES OF AMERICA

§

§

v.

§

No.

§

KAREN LANCASTER MCCUTCHIN

§

3. - 13CR-110-N

FACTUAL RESUME

The defendant Karen Lancaster McCutchin (McCutchin), her attorneys Knox Fitzpatrick, Robert Smith, and Robert Webster, and the United States of America (the government), agree that the following accurately states the elements of the offense and the facts relevant to the offense to which McCutchin is pleading guilty:

Elements:

1. In order for Karen Lancaster McCutchin to be convicted at trial of a violation of 18 U.S.C. § 1501, the United States would have to prove each of the following elements of the offense beyond a reasonable doubt:

First: McCutchin knew that FBI Special Agents were attempting to execute a Search Warrant.

Second: McCutchin knowingly and willfully obstructed, resisted, or opposed the FBI Special Agents while they were attempting to execute and executing the Search Warrant.

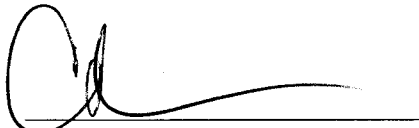
FACTS:

1. At around 6:30 a.m. on March 6, 2012, Special Agents (SAs) of the Federal Bureau of Investigation (FBI) visited **McCutchin**'s residence, and notified Brown and **McCutchin** that they had just executed a Search Warrant at Brown's residence, and asked Brown if he would voluntarily produce the laptops they were unable to locate at his residence. Brown declined and the FBI SAs departed.
2. Between 6:30 a.m. and 1:55 p.m. on March 6, 2012, **McCutchin** and Brown believed that it was likely the FBI SAs would return with a Search Warrant for the computers that Brown had not volunteered.
3. The following happened on or about March 6, 2012:
 - a. **McCutchin** agreed with Barrett Brown to hide and conceal Brown's two laptops computers from FBI SAs.
 - b. **McCutchin** placed two laptops belonging to Barrett Brown in the back of a lower corner cabinet in the kitchen in an attempt conceal and prevent them from being located and seized by the FBI.
 - c. When the FBI SAs arrived at approximately 1:55 p.m., **McCutchin** and Brown knew that the FBI SAs had obtained a Search Warrant, cause number 3:12-MJ-110-BH, from a United States Magistrate Judge seeking data storage devices, to include the laptop computers.
 - d. **McCutchin** and Brown knew that it was unlawful to have hidden the laptops. By hiding the laptops, **McCutchin** acted knowingly and willfully.

e. **McCutchin** and Brown knew that hiding the laptops would obstruct and impede the agents' search for and attempt to locate the laptops.

f. By hiding the laptops, **McCutchin** intended to impede, obstruct, or influence the FBI investigation and the Search Warrant issued by the United States Magistrate Judge.

SARAH R. SALDAÑA
UNITED STATES ATTORNEY



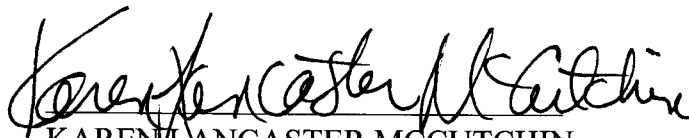
CANDINA S. HEATH

3-22-2013

Date

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I have read (or had read to me) this Factual Resume and have carefully reviewed every part of it with my attorneys. My attorneys have defined the legal terms referenced in the document. I fully understand the Factual Resume and voluntarily agree to it. I swear that all of the facts contained herein are true and correct.



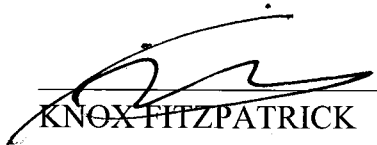
KAREN LANCASTER MCCUTCHIN

Date


3/20/13

Defendant

We are Karen Lancaster McCutchin's counsel. We have carefully reviewed every part of this Factual Resume with our client. To our knowledge and belief, our client's decision to enter into this Factual Resume is an informed and voluntary one.


KNOX FITZPATRICK
Attorney for McCutchin

3.21.13
Date


ROBERT SMITH
Attorney for McCutchin

21 MARCH 2013
Date


ROBERT WEBSTER
Attorney for McCutchin

3/20/13
Date